IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Bail Appl..No. 503 of 2007()

CRIME NO.1/2007 OF SULTHAN BATHERY EXCISE RANGE
BP.13/2007 of J.M.F.C.,SULTHANBATHERY
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PETITIONER/ACCUSED:

ASOKAN, S/O. KUNJAN, AGED 43,
KOMMADU KUNNU, CHEERAL AMSOM DESOM,
S. BATHERY, WAYANAD DISTRICT.

BY ADV. SRI.N.J.ANTONY

RESPONDENTS: COMPLAINANT/STATE:
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1. EXCISE INSPECTOR, S. BATHERY.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 503 OF 2007

Dated this the 31st day of January, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C., the petitioner, who is the sole accused in C.R. No.1/2007 of S.Bathery Excise Range for offences punishable under Sec.55(i) of the Abkari Act for having been found in possession of 730 ml of Indian Made Foreign Liquor, seeks his enlargement on bail. Petitioner was arrested on 3-1-2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail with effect from 3.02.2007 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, S.Bathery and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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